

# **MATS UNIVERSITY, RAIPUR**

(Established by CG Act No 29/2006 and recognized by UGC under section 2 (f) of UGCAct 1956)

## **MATS LAW SCHOOL**

(Recognized by BCI under 7(1)(h) of Advocates Act, 1961)

### **ORDINANCE NO ...../2010**

#### Short title and Commencement

1. This ORDINANCE shall be known as 'LL. M. (Trimester) Ordinance 2010'.
2. The ordinance shall come in effect forth the date it is notified by the State Government.

#### **Admissions**

3. The admission in LL M ( I Trimester) shall be open to all those candidates who have passed LL B (three years degree course or five years integrated Law course or equivalent) from any University/Department of Law/Law College or National Law University or Law Institute or equivalent foreign degree duly recognized by Bar Council of India/University Grants Commission or Chhatishgarh Government.
4. The admission shall be taken on the basis of Admission Test conducted by MATS University followed by interview. However, in case of any left out or resultant vacancy, it shall be open to the Director, MATS Law School to grant admissions to deserving candidates despite the fact that he has not taken up entrance test on adequate grounds being shown by the candidate.
5. Reservation in admissions shall be given as per norms prescribed by the State/Central Government.
6. Provided that the University reserves the liberty to refuse admission to any one without assigning any reason in public interest or in the interest of University.

#### **Assessment System**

7. All examination shall consist of continuous assessment and the end-term examination. The end-term examination component will be of 60% (external) and continuous assessment (Internal) will be of 40 % marks. The scheme of continuous assessment shall be designed according to the need of teaching-learning process as required.
8. The marks of continuous assessment may be further divided as follows:

Project/Court Room Exercise	-	15 Marks (10 for Memorial/ Assignment + 5 for Viva based there on)
Snap Test/ Home Assignment	-	10 Marks
Mid – Term Examination	-	15 Marks

**Provided that if any student submits a copy of article published on the topic of his project in a reputed journal, he would be given ‘O’ grade in the project work.**

**Note-** Home Assignment may include Case Analysis, Class Presentation, and Home Work etc.

9. Two sets of question papers, ten days before scheduled examination may be required to be submitted to Director, MATS Law School/Controller of Examination for end term examination by respective faculty/external subject expert. This shall open for moderation.

### **Pass Grade per Semester**

10. For Passing the Examination, a student must secure at least 50% in each subject.

Provided that in 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup> Trimesters all students shall be promoted to the next Trimester irrespective of marks/percentage obtained in a paper/papers.

Provided, further, that in 3<sup>rd</sup> & 6<sup>th</sup> Trimester, the candidate shall pass only after clearing any backlog in previous or immediate previous prior thereto.

11. It shall be lawful for the University to hold a repeat examination at the end of 3<sup>rd</sup> and 6<sup>th</sup> Trimester in all subjects for those who have not cleared any paper till 3<sup>rd</sup> or 6<sup>th</sup> Trimester examination, as the case may be, which shall be of 60 marks of external evaluation. No repeat examination shall be allowed in continuous assessment valuation.

12. Provided that except as above there shall be no supplementary examination or revaluation or rechecking in any way what so ever.

13. Provided further that any candidate who fails even in repeat examination shall be at liberty to appear as ex-student in paper/papers he/she has failed. Such candidates if pass ex-students may be considered for admission in next Trimester as usual. Marks obtained in continuous assessment earlier shall be carried forward in repeat as well as when the candidates takes up his/her examination as an ex-student.

### **Dissertation**

14. Each student shall be required to submit a dissertation in sixth trimester on a topic to be approved by the Director, MATS Law School. The dissertation shall carry 200 marks to be divided into 150 marks for memorial and 50 marks for viva based thereon. A students shall have to obtain minimum 100 marks added both together (memorial + viva) for passing in dissertation.

15. Provided that the dissertation shall be submitted in English. However, if any candidate desires to submit the dissertation in Hindi, he shall be permitted to do so, subject to the limitation that he finds English translation of the dissertation along with.

### **Moderation**

16. It shall be open to the Director MATS Law School to moderate the results on the recommendation of departmental committee on his satisfaction and in his sole discretion if the result is too good or too bad.

### **Attendance**

17. All students shall attend the classes and other activities organized by the department regularly. A student is required to have a minimum 65 % attendance of the total number of classes including lectures, seminar, tutorials and moot courts etc. held in each of the subjects/courses in a trimester.

18. Provided that a student who has officially been permitted by MATS Law School to take part in a Moot Court Competition, present a paper in Seminar/Conference/NCC/NSS or activities relating to legal aid clinic may be awarded Deemed Attendance for as many days as may have required for the event and also for the to and fro journey/preparation, subject to the approval of the Director, MATS Law School.

19. Provided that it shall be lawful for the Director MATS Law School to consider request of any students for condensation of attendance on medical ground for purpose to appear in the examination.

20. Five (05) marks may be awarded to the students as **bonus mark** for attendance as detailed below. The attendance and the marks will be provided to Examination Department, who shall add these marks to the total marks in each subject.

<b>S. No.</b>	<b>Percentage of Attendance</b>	<b>Marks</b>
1	65% and up to 75%	1 (One)
2	Above 75 % and up to 80 %	2 (Two)
3	Above 80 % and up to 85 %	3 (Three)
4	Above 85 % and up to 90 %	4 (Four)
5	Above 90%	5 (Five) Marks

### **Grades and Grade Point**

21. The marks secured by the students in individual courses shall be converted into Grades and Grade Points as per the following table.

<b>SN</b>	<b>Score</b>	<b>Grade</b>	<b>Grade Point</b>
1	90 % +	O Outstanding	10

2	85% + to 90%	D+ Distinction	9
3	80% + to 85%	D Distinction	8
4	75% +to 80%	A ++ Excellent	7
5	70% + to 75%	A+ Very Good	6
6	65 %+ to 70 %	A Good	5
7	60%+ to 65%	B Above Average	4
8	50% to 60%	C Average	3
10	Below 50 %	Fail	0

22. Provided that the details of total marks obtained/ maximum marks assign to that subject shall be shown in the marks sheet along with grade and grade points calculated accordingly in each subject in separate column.

### **CREDIT POINT**

23. The Credit Point shall be calculated by the examination department in the way detailed below:

Core Courses	–	8 Credit Points
Specialization Papers	–	10 Credits points
Seminar Course for 5 <sup>th</sup> and 6 <sup>th</sup> trimester students	–	10 Credits points

### **COURSE STRUCTURE**

24. The course shall consist of six trimesters as given below:-

I Trimester	-	Law and Social Change in India
	-	Constitutional Law of India – New Challenges
II Trimester	-	Judicial Method – Principles and Practice
	-	Legal Research Methodology
III Trimester	-	Jurisprudence with special reference to Indian Context
	-	Legal Education in India as compared with that prevailing in civil and common law countries.
IV Trimester	-	Optional (any three papers of a group from the followings)
V Trimester	-	Optional – (any three papers from the same group as taken in 3 <sup>rd</sup> trimester from the followings)
VI Trimester	-	Dissertation (shall be on an area selected by the students from any of the groups on contemporary importance)

subject to the approval by the faculty and shall carry 200 marks)

### **CONSTITUTIONAL LAW GROUP**

- Federalism with special reference to India and USA
- Fundamental Rights in light of Directive Principles of State Policy
- Constitutional Governance with special reference to relationship between three organs of the government.
- The comparative study of the constitutions of UK, Canada and USA with India
- Constitution of Russian Federation as compared with Constitutions of other Marxist Countries with special reference to China and Yugoslavia.
- Constitutionalism, Constitution and the Course Structure of Civil Law Countries.
- Constitutionalism, Constitution and the Course Structure of Common Law Countries with special reference to Japan, Sri Lanka and Nepal.
- Socio-economic problems including naxalites and terrorists in India and abroad in the light of human rights
- International aspects of Organizations of Law and Law Enforcement and in certain selected countries.

### **INTERNATIONAL LAW**

- International Law (Introduction)
- International Law Relating to Peace
- International Law Relating to War
- International Originations
- International Relations
- Air And Space Law
- Nuclear Armed Race and Effectiveness Of International Bodies
- International trade law
- International economic law
- Private International Law
- Maritime Law

### **HUMAN RIGHTS GROUP**

- Human Rights - General
- Human Rights of Refugees
- Human Rights of Disabled
- Human Rights of Anti social elements
- Human Rights of disadvantaged groups including Women and Children

- Science, Technology & Information in Human Rights

## **LABOUR LAWS**

- Labour Management Relations – Philosophy and Concepts
- Trade Union Act and Related Issues including Standing Orders
- Industrial Disputes Act
- Social Security Legislations Philosophy
- Workmen Compensation Act
- Bonus Act
- Minimum Wages Act
- Factories Act
- Unorganised Labour
- Minimum Wages Act

## **IPR GROUP**

- Concept of Property – Transfer of Property with special reference to TPA
- Specific Transfers and formal agreements
- TRIPS and other international agreements
- Copyright Act with special emphasis on international aspects
- Design Act and Mercantile
- Biodiversities Act with special reference to Biomass and other bio products.
- Patents Act
- Geographical indication

## **CRIMINAL LAW**

- Criminology & Penology including General Exceptions excluding criminal liability
- Major Crime-I (Crimes Against Human Body)
- Major Crime –II (Crime Against Property)
- Minor Crimes/
- Crime against society
- Crimes Against women including domestic violence (prevention of atrocities act)
- Crime Against Schedule Castes and Minorities
- Cr PC and comparative procedure
- Evidence Act
- Cyber Crimes
- Medical Jurisprudence
- Juvenile Diligences
- While colour crimes including crimes against society and humanity

- Investigating Agencies including Interpol.

### **MINES MINERAL LAWS GROUP**

- Law Relating to Mineral - General Provisions
- Protection of Mineral Resources
- State Management of Minerals
- Basic Geological Surveys of Mineral Resources
- Areas for Mineral Activities, Protection of the Environment in Mineral Activities
- Exploration for Minerals
- Mining and Processing of Minerals
- Regulations relating to minerals
- Law relating to Mining

### **ENERGY AND PETROLIEUM LAWS GROUP**

- Hydro Electricity
- Thermal power projects
- Solar energies, Petroleum
- Law relating to acquisition
- Understanding Oil & Gas Business
- Understanding Power & Energy Sector Business
- Understanding Transport Sector
- Oil & Gas Law & Policy – Upstream Sector
- Regulatory Framework for Power Sector
- Energy Economics
- Health, Safety & Environment challenges in Energy Sector

### **FOREST AND ENVIRONMENTAL LAW GROUP**

- Constitutional provision and liability relating to environment with special reference to Art 48 A and Art 51 A (g) a comparative study with certain
- Indian Forest Act,
- Law & Agriculture
- State Laws Regulating relating to forest
- Health, Safety & Environment challenges in Energy Sector
- Law relating to prevention of water, air & e-Waste management
- International aspects relating to prevention and control of pollution,
- Green IST & empowerment of rural India

### **TRIBAL LAWS GROUP**

- Customs & rituals of different tribes
- Domestic institution Social institution of tribes
- Education

- Issues like naxalism (causes & remedies under law)
- Organization of law among tribal people & their role in est rule of law
- Rights of tribal people over forest & their products
- Fundamental rights and tribes
- Health, Safety & Environment challenges in Energy Sector

## **CORPORATE LAW GROUP**

- Simple contracts including Indian Contract Act from promise to agreement with special reference to international aspects.
- Formal agreements including Specific Contracts including higher purchase agreements
- Sales of goods Act including international sales
- Partnership Act including LLP
- Company Law
- Corporate finance
- Corporate reconstruction
- Corporate regulation
- Competition Law
- Consumer Protection Laws
- Securities & Investment laws

## **TAXATION LAW GROUP**

- Central state relations legislative and administrative
- Financial Relations between Central and State Government under the Constitution of India
- Finance Commission and Finance Bills and other related matters.
- Direct Taxes (Income tax act 1961 (Income tax code 2011)
- Indirect Taxes including (Central excise act, Customs act, VAT, Sales including GST) Anti Dumping Laws with special reference to e-waste management
- Double Taxation and International conventions relating thereto
- International taxation
- Emerging issues including taxation on agriculture income

Note – Each Group shall be further divided into six or more papers out of which three papers shall be taken in fourth semester and remaining three papers shall be taught in fifth trimester. If the number of papers is more than six in any group, the option shall be given to the students to choose any six papers out of the options available subject to availability of expert faculty.

## **Dissertation**

25. Three copies of the dissertation shall be submitted. One shall be office copy and other two shall be for internal and external examiners. Both shall the dissertation out of 100 maximum and the average of the both marks shall be the marks shown to have been obtained by the candidates. Both shall conduct viva together. The marks in viva shall be given by internal examiners with the concurrence of the external examiners as far as possible.

26. It shall be open to amend the examination rules in accordance with the procedure for making Ordinance.